

EXHIBIT D – DEFENDANTS’ EXHIBIT LIST**PLAINTIFFS’ OBJECTIONS LEGEND**

Notes: A single star * refers to no objection on grounds of authenticity
A double star ** refers to no objections

Abbreviation	Explanation
AE	Altered exhibit
AOR	All Objections Reserved
AU	Authentication
C	Lack of clarity
DH	Double Hearsay
ER	Expert Report
F	Lack of Foundation
H	Hearsay
IB	Incorrect Bates Number / Bates Number or Reference and Description Do Not Correspond
IE	Incomplete exhibit
ILO	Improper lay opinion
NM	Name of Exhibit
NPFR	Not Provided for Review
P	Prejudicial/confusion/outweighs limited relevance
PK	Lack of personal knowledge
R	Relevance/Irrelevant

DEFENDANTS, KARTRI AND MARQUIS’ EXHIBITS

Exhibit No.	Admitted	Objections	Description of Document	Bates Stamped No.
1.		NPFR	Plaintiff Hookless Shower Curtain	

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2.		**	Kartri Ezy Hang Shower Curtain	Plaintiff’s Exhibit 44 at deposition of Karen Goskowski, August 9, 2017
3.		*, F	Settlement Agreement between A&A/ZDG and DFW Motel Supplies and Textiles, dated October 2007	FZH001911 to 1922
4.		*, F	Settlement Agreement between A&A/zdg and Courtesy Prods. Inc., dated Jan. 01, 2008	FZH001923 to 1929
5.		*, F	Settlement Agreement between A&A/zdg and Neilmax Inds., dated January 2008	FZH001930 - 1943
6.		*, F	Settlement Agreement between A&A/zdg and Aim-Co (no date)	FZH001944 to 1953
7.		*, F	Settlement Agreement between A&A/zdg and Trend Supply, dated May 4, 2010	FZH001955 to 1962
8.		*, F	Licensing and Manufacturing Agreement between CHF Inds. and Long Way Plastic Ind’l dated 01/12/2000	FZH001963 to 1981
17.		*, F	Agreement between HSNA and The McCall Pattern Company dated March 8, 2002	FZH001982 to 2010
18.		*, F	Settlement Agreement between A&A and Aim-Co	FZH003882 to 3890
19.		*, F	Correspondence from G&C firm to Wellspun Hospitality	FZH003900 to 003902
20.		*, F	Exhibit A to Agreement between ZDG and A&A dated June 17, 2008	FOCUS 5646 to 5650
21.		**	Carnation license agreement	Carnation Exhibit #7 at deposition of Lawrence Mayer, November 27, 2018

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23.		*, F, NM	Plaintiffs’ inventory of Intellectual Property	FOCUS5646 to 5648
24.		*, F, H, R, IB, AOR	Correspondence between Plaintiffs and Verill Dana law firm dated May 26, 2015	FOCUS5884 – 5907
25.		F, H, R, NM, P, AU, IB, AO	Welspun (3d party) promotional sheet dated 2014	FOCUS 5874 - 5882
26.		*, F	Promotional sheet for HOOKLESS	FOCUS 008404
27.		*, F, NM, H, R,	Focus Hospitality advertisement	FOCUS008429
28.		*, F, NM	Advertisements featuring HOOKLESS shower curtains 2017	FOCUS 8439 to 8442
29.		*, F, NM	Advertisements featuring HOOKLESS shower curtains, 2017	FOCUS 8437 to 8438
30.		*, F	HOOKLESS video demo mp4	FOCUS 008559
31.		*, F (also multiple videos)	HOOKLESS QVC video demonstrations mp4	FOCUS 008561, 8562
32.		*, F	Hookless and Hooked advert.	FOCUS008564, 8565
33.		*, F, R, IB	FOCUS convention special advertisements	FOCUS85698 to 8569
34.		*, F, R, H, AOR	Focus/Hookless specification of ring shapes	FOCUS008729
35.		*, F	Focus-Carnation royalty summary	FOCUS245760
36.		*, F	Correspondence between Kartri and David Middleburg 2015,	K0001 to K10003
37.		R, P	Hsu US Design Pat. No. D761,639S	K0297 to K0301
38.		R, P	Hsu corresponding China patents for buckle	K0098 to K0115
39.		*, F, R, P, H C, PK, IE	Patent search report, 2015	K0295 to K0296

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40.		*, F, R, P	Oxford Hotel Collection shower curtain advertisement, 2014	K0364 to K0365
41.		*, F, NM	Kartri Shower Curtain Sales Summary from 2013 to Oct 2015	K0319
42.		F, AOR	Kartri Shower Curtain Sales spread sheet as of May 2015	K0320 to 0346
43.		F, AOR	Kartri Shower Curatin Sales Summary to May 2017	K0366 to 0372
44.		F, AOR	Kartri Shower Curtain Sales spread sheet as of May 2017	K0373 to 0439
45.		ER	Paul Hatch expert report, January 28, 2019	
46.		ER	Paul Hatch rebuttal report, January 28, 2019	
47.		ER	Graham Rodgers expert damages report, January 28, 2019.	
48.		*, F, R	Email from Trish to James; Re: Matt-Satin Custom Style Request for Pricing	Marquis 00392-393
49.		*, F, R, H	Email from Trish to David; Re: New Purchase Order 4301	Marquis00601-604
50.		*, F, R	Email from Trish to David; Re: Quotation Needed – Golden Nugget Pattern Affinity Shower Curtain	Marquis00660-662
51.		*, F, R, H	Email from Trish to David; Re: LAQUINTA	Marquis00787-788
52.		*, F, R, H	Email Trish to David; FW: Spreadsheets for HD Pricing	Marquis 00670
53.		*, F, R, H	Email Trish to David; IHG News	Marquis 00637
54.		*, F, R, H	Email Trish to David; Re: EzyHangPrograms_Motel 6	Marquis 00588

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55.		*, F, R	Email Trish to David; RE: Washing Info...Need you Approval	Marquis00227-228
56.		*, F, R	Email Trish to David; PO4489	Marquis00237
57.		*, F, R, H	Email David to Trish; Follow up	Marquis 01028-1031
58.		F, R, P, AU, AO	Walmart: bed bath n more EZ On Brown Circles Fabric Shower Curtain with Built in Hanging Rings	Marquis01279-1280
59.		*, F, R, P, AO	EZ-ON® PEVA Beacon Hill Shower Curtain by Ben and Jonah	Marquis01285-1290
60.		*, F, R, P, AO	Altmeyer’s BedBathHome Ez On Grommet Checks White Fabric Shower Curtain with You Might Like...	Marquis01291-01295
61.		*, F, R, AO	Hookless EZ-On Diamond Dobby Shower Curtain with Liner	Marquis01296-1304
62.		*, F, R	Marquis articles of incorporation	Marquis01305-1306
63.		*, F, R, AO	Boscov’s: Mystry EZ-ON Fabric Shower Curtain	Marquis01307-1308
64.		F, R, P, AU	WASH EZtm Shower Curtains by Curtain Care Plus	Marquis01309-1311
65.		F, R, P, AU, AO	Walmart: EZ-On Brown Circles ... Shower Curtain by generic	Marquis01312-01315
66.		R, P	US Patent 2,831,538	Marquis01345-1346
67.		*, F, R	Email Trish to James; FW: PO 4301 WORK ORDER 1782...NOT APPROVED	Marquis03725-3726
68.		*, F, R	Email Sam to David; Extended Stay Hotels	Marquis05340-05341
69.		*, F, R	Email Trish to David; FW: Shower Curtain	Marquis05829-05832
70.		*, F	Email David to Trish; RE: Info I'm staying at the	Marquis05986

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			Palace...Great Shower Curtain!	
71.		**	Email David to Karen; Re: Info	Marquis03016-3017
72.		R	Email Trish to David	Marquis04866-
73.		*, F, R, H	Email Trish to David; FW: Thank You From Kartri	Marquis004572-4578
74.		*, F, IE	Email Trish to Karen; FW: Info For HD	Marquis04583
75.		*, F, R	Email Trish to David; RE: From Pong	Marquis03783-3784
76.		F, AOR	Invoices Marquis to Kartri	Marquis 00001-00085
77.		F, AOR	Invoices Marquis to Kartri	Marquis 08126-08153
78.		F, AOR	Marquis to Kartri Sales Summary; MMI Sales to Katri - (Inception thru 9/28/16)-REVISED	Marquis 08154-08156
79.		F, AOR	Marquis to Kartri Sales Summary; MMI Sales to Kartri - (Inception thru 07/31/18) Sorted By	Marquis 08223-08226
80.		*, F	AA – Trend Settlement	Focus 4837-4844
81.		*, F	Agreement Longway	Focus 4845-4885
82.		*, F	Agreement OTRT	Focus 4908-4921
83.		*, F	Agreement McCall	Focus 4934-4951
84.		*, F	Agreement AA Holdings	Focus 4982-4990
85.		*, F	Agreement AA	Focus 5047-5082
86.		*, F	Agreement OTRT Amendment	Focus 5109
87.		*, F	Agreement Carnation	Focus 5110-5122
88.		*, F	Agreement Aim-Co	Focus 5562-5573
89.		*, F	Agreement HSNA	Focus 5580-5587
90.		IE	Carnation’s EZ On Curtains	Focus 6766-6773 (2017)
91.		**	FPG Sales Spreadsheets	Focus 5875-5881
92.		**	FPG Sales Spreadsheets	Focus 8723-8731 (2017)
93.		*, F, R, H, AOR	FPG Customer Communications	Focus 6890-6893 (2017)
94.		*, F, R, P, H, AOR	FPG Hookless v. Kartri Comparison	Focus 6894-6896
95.		F, AOR	Kartri Sales	K0331-0337

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96.		AOR	"Global Shower Curtains Industry Market Research Report.pdf" provided by HeyReport Market Data Survey Center, January 2019 – cited by Elmore	Defendant’s Exhibit E-24 of Expert Supplementation at deposition of John Elmore, February 19, 2019
97.		AOR	" Markables Record_28635- 1- Hemtex_AB.pdf" – cited by Elmore	Defendant’s Exhibit E-23 of Expert Supplementation at deposition of John Elmore, February 19, 2019
98.		ER	G. Battersby and C. Grimes, Licensing Royalty Rates, 2013 Edition – cited by Elmore	Expert Report of John Elmore, January 14, 2019– cited Page 80, FN 195
99.		**	Hookless Reg. 2,381,995	
100.		**	Hookless Reg. 4,127,283	
101.		*, F, R, P	Wayfair	Marquis1285-1290
102.		ER, AOR	Wayfair (https://www.wayfair.com/bed-bath/pdp/ben-and-jonah-ez-on-checks-solid-color-single-shower-curtain-banj1138.html?piid=17470904)- cited Elmore	Expert Report of John Elmore, January 14, 2019– cited Page 68, FN 185
103.		ER, AOR	“Hookless EZ-ON Seashell Shower Curtain” offered through Overstock.com – cited by Elmore	Expert Report of John Elmore, January 14, 2019 – cited Page 68, Para. 179
104.		ER, AOR	“Hookless EZ-ON Waffle Weave Fabric Shower Curtain with Snap-In Fabric Liner” offered through Amazon.com – cited by Elmore	Expert Report of John Elmore, January 14, 2019 – cited Page 68, Para. 179
105.		ER, AOR	Various products containing the phrase “EZ ON Hookless Fabric Shower Curtain”	Expert Report of John Elmore, January 14, 2019 – cited Page 68, Para. 179

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			offered through linens4less.com – cited by Elmore	
106.		ER, AOR	“EZ-ON Hookless Floral Vine PEVA Shower Curtain” offered through Kohl’s – cited by Elmore	Expert Report of John Elmore, January 14, 2019 – cited Page 68, Para. 179
107.		F, R, AU, AOR	Wash EZ Curtain	Marquis 1309-1311
108.		F, R, P, AU, AOR	Walmart Curtain	Marquis 1312-1315
109.		**	Zahner 8,235,088 Patent	Marquis 1316-1330
110.		F, R, AOR	American Hospitality Website; Search for “Hookless” Elmore Dep.	Plaintiff’s Exhibit E-19 at deposition of Paul Hatch, February 13, 2019
111.		F, R, IE, ER, AOR	Revised Appendix A of Expert Report of John Elmore, January 14, 2018	Defendant’s Exhibit E-25 at deposition of John Elmore, February 19, 2019
112.		F, R, ER, AOR	Errata of Expert Report of John Elmore, January 14, 2018	Defendant’s Exhibit E-26 at deposition of John Elmore, February 19, 2019
113.		**	Zahner 5,186,232 patent	Focus6400-6404
114.		AOR	Patricia Kubus Dep. Excerpts – Elmore Dep.	Defendant’s Exhibit E-28 at deposition of John Elmore, February 19, 2019
115.		AOR	Samantha Dolph Dep. Excerpts – Elmore Dep.	Defendant’s Exhibit E-29 at deposition of John Elmore, February 19, 2019
116.		AOR	Kartri Emails – Elmore Dep.	Defendant’s Exhibit E-30 at deposition of John Elmore, February 19, 2019
117.		*, F, R, AOR	American Hospitality Website; Product categories	Defendant’s Exhibit E-44 at deposition of James Roberts, February 25, 2019
118.		ER	Expert Report of John Elmore, January 14, 2019	
119.		ER	Expert Report of James Roberts, January 14, 2019	
120.		**	Plaintiffs’ 4 th Amd Complaint	(Dkt 148)
121.		**	Zahner 6,494,248 patent	Focus 6561-6574
122.		**	Zahner 7,296,609 patent	Focus 6668-6682
123.		**	Zahner 8,235,088 patent	Marquis 1316-1330

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124.		**	Zahner D746,078 design patent	Focus 0069-0074
125.		**	Plaintiffs’ 2 nd Amd Complaint	(Dkt 48)
126.		**	Plaintiffs’ 1 st Amd Complaint	(Dkt 20)
127.		*, F, R, H, AOR	Carnation Letter to Focus	Focus 5902-5904
128.		**	Carnation License Agreement	Focus 5887-5899
129.		*, F, H, R, P, PK, ILO, AOR	Email Sondra Lam to Steve Wiechert; FW: Hospitality NPD Meeting – Protecting Certain Patents with “hookless IP Summary 2015 Final.pptx” “Hookless_key Features benefits 02252015.xlsx”	Focus 67919-67928
130.		F, R, P, AU, AOR	Wal-Mart generic category for hookless shower curtains	(https://www.walmart.com/browse/shower-curtains/hookless-shower-curtains/4044_539095_2141805_8546121) (DKT 253-32)